

## **Modern society perception toward the custom governmental system in Negeri Kataloka, Seram Bagian Timur District, Maluku Province**

### *Abstract*

*Newly modernized society has undergone various changes in their social order. Their way of production has shifted from agriculture based into industrial based and the way they interact with their neighborhood is change too. However, not all previous system is left behind as we can find in some regions in Indonesia where the custom governmental system is still exist. This thesis tries to explore how Gorom island modern society perceives its custom governmental system with limiting the modern society to the youth generation. This is interesting since the current political studies seems to abandon the discourse on custom and its forms in society. What researcher found in the field does prove that investigating custom as governmental system is very interesting local political studies. Researcher uncovers that modern society in negeri Kataloka tend to trust and see its government which still exercises custom values as positive thing. By employing three variables—custom, local tradition, government system— as concepts which are used as questions for informants, researcher gets into a conclusion that states the current Kataloka's custom government is seen positively due to the king role in preserving local traditions wisely.*

### **A. Background**

According to Koetjaraningrat (1964), Custom is a realization of the local cultures. Custom also can be said as a system in communities, laws, and unwritten rules. The custom archipelago is still very much appreciated, even in some areas of Indonesia, the customary system is really powerfull. Such as in Nangro Aceh Darussalam, the customary system influenced the culture of Islam and it is still highly influential until this day, even Aceh is given the privilege to keep running the syari'ah system in accordance with the tradition and also in Special Region of Yogyakarta, in which the custom governmental system is really powerful and

*Kesultanan* Yogyakarta is also one of the largest empire in Indonesia which still exist till now.

Developments in modern times have shifted traditional values. The process of modernization has changed a human. It made human untied with the rules in force since the days of his ancestors. This modernization process has become one of the reasons for the collapse of some great empires that have ever existed. The modern society tends to think freely or independently. The modern society do not want to be bound by the rules according to their old-fashioned and not relevant to the times. According to Soekanto (1985), modernization is a form of social change directional (directed change) and are based planning (social planning). Therefore, in a globalized world community has been neatly arranged social life. Especially in the early 20th century, the scene with science technology made the public do not believe the things that are considered mystical magic and the occult sciences in general very in trust in indigenous or traditional. Generally, in Maluku and especially in Kataloka, the society has recognized custom governmental system as a *Pemerintah Negeri*. *Negeri* is governed based on the *Adat* law, the community unity, and the government that already existed long time ago in the past, live and develop and be maintained in order association of life. *Negeri* in Maluku is equal with the smallest unit of governance in Indonesia or more people usually know it as a *Desa*.

*Pemerintahan Negeri* commonly applicable on the entire of province Maluku. *Pemerintahan Negeri* is the basis of indigenous peoples and has the clear

boundaries of land and sea then called *Petuanan Negeri*, and the government system is genealogical or by bloodline. *Pemerintah Negeri* according to Central Maluku District Regulation No. 01 (2006) about *Negeri* is the implementation of government affairs of *Pemerintah Negeri* and the *Saniri Negeri* in organizing and taking care of the interests of local communities based on the origin and the rights of local customs that recognized and respected in the system of government of the Republic of Indonesia. Traditional village or *Negeri* has long existed long time ago before the Homeland independence. In Maluku itself has many small kingdoms, even Maluku name is derived from the Arabic (*Al-mulk*) which means the land of kings. As well as on customary governance system, this is already underway hundreds of years. Every *Negeri* in Maluku has different traditions, different government system, as well as customary law. However, one thing in common is the tradition of appointing a head of *Negeri* or head of the local country customs or more commonly referred to the title *Raja*. All *Negeri* in Maluku also have the same way and rules to choose the head of *Negeri* or usually people call it *Raja*, mostly by looking at the bloodline.

At the customs regime, every *Negeri* has the organizational structure of the *Pemerintahan Negeri*. The composition of *Pemerintah Negeri*, which the Dutch government legalized the system of customary law is established in (Amboina landraad decision No.14 of 1919) stated that the *Pemerintahan Negeri*'s regent en de head soas's. The next in the decision Landaard Amboina No. 30 (1919) mentioned that *negorijbestuur* is regent en de Heads of Soa, which means that the

implementation of land administration carried out by the *Raja* and Chiefs of *Soa*. In law No. 6 2014 about village, First step in chapter 1 of the general provisions stated that "the village is the village and the traditional village or called by other names, hereinafter called the Village, is a legal community unit which has borders with the authority to regulate and administer governmental affairs , the interests of the local community based community initiatives, the right of origin, and / or the rights of traditional recognized and respected in the government system unitary republic of Indonesia". From the affirmation first chapter step 1 above normative Law number 6 of 2014 does not distinguish terminology village and village customary.

A common explanation in Law No. 6 of 2014 states that custom villages or called by other names have different characteristics from the village in general, mainly due to strong indigenous influence on the local government system, local resource management, and social life of rural communities. Indigenous villages in the principle is the legacy of a government organization of local communities that are maintained for generations are still recognized and fought by indigenous leaders and community members in order to function developing social welfare and local cultural identities. The researcher thought that it is really interesting to find out what is the modern society perception toward the custom governmental system in this modern era. In this modern era we need to admit that there is custom system that still exist and there are modern people who live in the middle of custom community. In addition, why do people still follow the rules of custom government while the *Desa dinas* is already exist which is more independent rather than custom government or *Desa adat*.

## B. Research Question

Based on the background above, the researcher formulates the research question as “what is the perception of modern societies, in this case is a youth generation, toward the governmental system based on traditional law in Maluku using a case study in *Negeri Kataloka*, SeramBagianTimur regency, Maluku Province”.

## C. Research Objective

The researcher tried to find out modern society’s perception especially the youth generation’s toward the regulation and structure of the *Pemerintah Negeri* in Negeri Kataloka.

## D. Discussion

In this part, the researcher will analyze the result of research, which is investigating the perception of modern society in NegeriKataloka toward its custom governmental system. The data is directly taken from Kataloka, KabupatenSeramBagianTimur, Maluku, And it takes 5 informant. The secondary data is also being collected from:King of Kataloka, SaniriNegeri, Gorom island Municipal, RPJMDES Negeri Kataloka, WWF-Indonesia documents

The informant whose chosen by researcher are Modern society based on Alex Inkeles and SoerjonoSoekanto Theory. There are five respondent that chosen by the researcher. Because of in this case the researcher wanted to see the youth generation perception so the age of the respondent is from 16-40

years old. Researcher will analyzed the respondent answer one by one based on the question. There is Three question, first is about custom in Kataloka, second is about local tradition, and third is about governmental system.

#### **A. Custom**

According to Tunsam“Custom” is originally from Arabic language which means the local method or habits (Jalaludin Tunsam:1660). As JalaludinTunsam said, adat is cultural concept that has values, norms, habit and law that commonly found in some areas in Indonesia especially Maluku.

First question is about custom. What is their opinion about custom?

Informant A said :

*“i think custom is our tradition that made by our ancestors. Actually i dont really believe in custom but i dont know why i follow the custom law. Maybe it is because of my parent’s, perhaps i follow the rules because since i was child they told me a lot of things about our tradition, the custom law, culture, and all the stuff related to custom. I just believe on my parents”*

From that interview with informant A, the researchr found that actually people there especially the youth generation are still believe in custom. Because respect and trust their parents is one of their tradition that they should do therefore, Automatically they follow the traditions.

Informant B said:

*“custom is a system which we have embraced with another society from the ancient times till now. In my opinion, people that respect to custom is the polite people cause they believe in their ancestors plus the structure is so obvious. Custome organize a lot of things in the local comunity, start from the caste untill the government system”*

From the interview above we can see that from informant B, custom is like a habits that he and another society embraced from the ancient times. And he just believe is the polite people is the one who give respect to the custom.

Informant C said :

*“Custom is a traditional system that lives in the middle of the society of Kataloka. Im so proud can grown up in the middle of the custom comunity. We grown up with a customarry system. In mollucas, some Negeri is already lost their tradition. Untill now we even can distinguish between the people that in the area where they live custommary is really strong and people who lives in the area that the custom is really weak. Usually people that lives in the place where the custom still have power more polite, more care with social, they respect the old people, and they follow the local tradition. While the one who lives in the place or area that custom is really weak because modernization they are more individual, dont really care with the social life, and some of them are unpolite. We also can see from the body language, if the one who lives in the custom area when they walk in front of older people they will*

*bowing, but the one who lives in area that the custom is weak, they will walk a straight in front of old people”*

From the interview above, we can see that the informant C is really proud grown up in the custom community and he also really appreciate the custom system.

Informant D said :

*“custom is a legacy from the ancestors that all of us need to protect it. Because adat teach us norms of life to the community. i think in this globalization era we need to really maintain the custom system in local community”*

The informant D aware that in this era of globalization, its so easy to lost their customarry system because of modernization.

Informant E said:

*“custom is a local comunity identity. Every local comunity in archipelago has their own custom. Thats why we can distinguish them by their custom that can be seen from the local tradition. Therefore we dont have to always distinguish people by their look. Sometimes there is a similarity between people from a different region. If theres no custom or local tradition we can't know what is the different between them”*

The informant E believe that custom is local identity of the local people. Means they need to protect it and keep it until wehenever.

From all the interview with all the informant, the researcher analyze that all of them agree that custom is rules and habits that already exist from their ancestor. The respect survives even when they are entering modern life. Even though they are modern society, they live in place that based on customary system. They need to follow the rules, the habits and the culture that already exist. They even can get punishment if they are break the customary law. Based on the interview with the King of Kataloka, he said:

*“in the community, custommary system is really powerfull. The examples are like now days, the society of kataloka when they solve their problem, they choose to go to the king house instead of going to the police office”*

The Indigeneous government also have their own written law to suport Ngam as local tradition which keeps the marine ecological. The content of the constituion based from the data that researcher found in the King’s house. The writen law is really important to support the local tradition *ngam*. Because it makes clear that the dangerous water activity its really not allowed in the marine protected area. It also explain about the stake holder, the zonation, and the benefit to keep the marine life to be safe

Means that custom is really powerful in NegeriKataloka. The people who break the custom regulation, will be punished with the custom law such as they have

to clean all the kings house or people called it *Mini keraton* for maximum four years without getting payment or if they not doing it well, the punishment will be increase become one year or perhaps it's going to be three years, and then the second Punishment is they have to harvest the kings family nutmeg plantation, and last is the worst punishment is expelled from the island.

**Gambar 3.1 the old kings house**



**Source: taken this picture directly in Kataloka on 24 January 2015**

Those are just some of the punishment that the researcher got from the interview. There's a lot of customary law punishment, but the three punishments above is the one that all the respondent ever saw with their eyes.

One of the custom laws is regulating marriage. one of the informant said that :

*“our marriage tradition is regulated by the custom law, is really same like the Melayu tradition. Even our clothes are adopting from the Melayu custom dress”*

Melayu's culture has strong influence in Kataloka society. The way their organized the wedding, the dress of the bride and daily life of the society is adopting the Melayu culture. one of the respondent said that Katalokanesse traditions is adopting from the Arabic cultures that has been brought since the beginning of their trading activities back in sixteenth centuries.

From that answer the researcher found that custom in NegeriKataloka is really powerful. All the people follow the rules, even for the modern people. Its not just some people, but almost all of the society that researcher meet in the location is live in modern life. They using technology, they have a good job and they have good education. Most of them still farming, and its because that is their family lands, plus that is Cengkeh and Nutmeg plantation which is give them a lot of money. There for, custom can be said Powerfull in Kataloka because all the modern society is also give respect to the custom law even is just for sake of tradition.

## **B. Local tradition**

Interview with a five respondent about what is the local tradition that they know, because the customarry governmental system in Kataloka is really powerfull which is the local tradition is also still exist, so the researcher wanted to know the opinion of the respondent about their knowledge towards their own local tradition.

Informant A said :

*“the local tradition in Kataloka that i know is Ngam. Its like the effort from the King to protect the marine area. This tradition is really have good impact to the marine life in the future. All the society in negeri Kataloka is agree and suporting the Ngam tradition”*

From the interview above, now researcher understood that the informant is really know about their own local traition. Furthermore,informant A have a positive perception toward the local tradition which is created by the custom government. It shows that this respondent agree the custom government made a succes local tradition which gives good impact to the marine ecology.

Informant B said :

*“our local tradition that i know is ngam. Its like the custom government closed the sea area near island for six month, and open it for the next six month. So we will get a lot of fish in the next six month”*

The informsnt B have a same knowledge about their local tradition.

Informant C said :

*“our local tradition is ngam. Ngam its our local tradition that i think really good to keep our environmental. Its like the King and the Pemerintah Negeri make a rules for everyone to not do any water activity area that they choose as a ngam place. And for this one, i really support the king and the pemerintah negeri”*

The researcher also got a same information from informant C about local tradition.

Informant D said :

*“One of our local tradition is called ngam. Ngam is the effort to keep our marine environmental. Apart of the ngam tradition. we also have tradition after fasting month, the king with all they family are going to all 24 villages to visit the society. Because in idul fitri all the society come to visit the King and all his family in the Kings house. So its like the pay back from the king”*

Apart of ngam, actually theres another local tradition wich is the royal family visit all the villages after the fasting month. This is show that the relation between King and the society is good.

Informant E said:

*“our local tradition is ngam. Ngam is traditional marine conservation which applied in Negeri Kataloka. Another local tradition is in the end of the years, King of kataloka make a traditional dance festival”*

From interview with the informant E, researcher got to understand that apart of Ngam, traditional dance festival also made by the King which received a good feedback from the society and this can be seen from the participation of all villages in the festival.

Based on the customary system, there is one of the local tradition that really unique. This local tradition called *Ngam* which is the efforts from the King to protect marine area including fish and coral. The marine protected area will be closed for 6 month. People can't do fishing or any kind of water activity in the area that already protected by the King. After six month, people can only do fishing with the traditional equipment. Blaster and poison are not allowed. For those who break the law will be hardly Punished.

The researcher found that the King rules in this case "*Ngam*", its really good. This local tradition make people aware how important to keep our environment safe. Therefor next generation will get the benefit of it. *Ngam* give amazing impact for Negeri Kataloka. Now, the Marine area that protected by the king become one of the biggest spot of coral fish spooning in south east of Asia based on data from WWF-Indonesia in 2011 and now it turns to be a conservation area and it get biggest support from the King and Pemerintah Negeri.

Apart of it the traditional dance festival in the end of the year was unique. It entertains the society cause the dance festival always gives a full performance of all the villages in Negeri Kataloka. Every village in Negeri Kataloka have totally different dance with each others. This festival joined by all generation. In 1980 the Kataloka group dance was choosen by the province government to delegate Maluku province to the national traditional dance festival in Taman Mini Indonesia, Jakarta.

**Picture 3.2. Kataloka traditional dance (Bongkorey)**



Source : [Triptus.com](http://Triptus.com)

### **C. The government system**

What is the informant opinion about customary government system in Negeri Kataloka ?

Informant A said :

*“Customary system in kataloka is a kingdom system which the leader is a King and has been chosen from the royal family. Only people comes from the clans of Rumarey that can become a King in kataloka. the royal family will gives the option and Saneri Negeri will give advice and then after that the oldest member of the royal family will choose who will be the next King of Negeri Kataloka. for me, the customary govenrmental system is good as long as it didnt gives a damage to the social life of the community”*

From the interview with the informant A shown that some of the youth generation still have a good knowldege about their own local government

Informant B said :

*“the custom system is already made by our ancestor, as good decent i just want to follow my ancestors. even now we already live in the modern era. But me and my family still respect the custom”*

The informant B said that only because of want to be the good decent of his ancestors hi must follow the custom system.

Informant C said :

*“custom government is based on unwritten law. Usually the leader of customary government is choosen by bloodline. If your not from the royal family then you will*

*never become the King. Even the head of soa must come from the family of the previous head of soa. And as a good society who lives in Kataloka i have to follow the local tradition, the custom law and the custom government. Cause im not live alone. For sure im a open minded person, but as long as the customary system is not give a bad impact to the society, then om totally okay. Beside i live and work in here. I supposed to follow all the rules and norms in Negeri Kataloka”*

Even in the modern era, when he lives in some place or area and on that area the majority is a traditional community as a good society he need to follow the majority. Eventhough he is an open minded person.

Informant D said :

*“custom system lead by king, not the head of village. In indonesia every villages have their own head of villages. But in mollucas it can be two or three village lead by one person called King. Even in Kataloka, there is 24 village lead by one king. Im so proud that in my village we still have custom alliance. Its not mean that the national government system of village is bad, but i just fell more proud with our customary governmental system”*

Informant D didnt think that the national system is bad. He just fell more proud lives in the place where the local community and custom is really powerfull

Informant E said :

*“custom governmental in Negeri Kataloka for me is really good. I used to have lawsuit about lands. And the custom government handle the case nicely, and its done really well, Gives both side justice”*

The custom government is fixing the problem especially about lands really good because they know the condition and situation of their custom theretorial. They totally understand who own each lands on that island.

In customary regime, government system known as *PemerintahNegeri*. Ruled by the kings and helped by the *SaniriNegeri* which is consist to 24 people. 20 are head of hamlet and 4 are *Kapitan*, means four of them is in charge when the war is coming, and they also the guard of NegeriKataloka. All of them are chosen by blood. Only the one who related to the Kapitan that can be the next Kapitan. The rule is also work for the 20 head of hamlet, chosen based on the blood. There are four Clans that people believed as the original clan in Kataloka.

**Gambar 3.2. King Muhammad saiful Rumarey wattimena**



**source : taking this picture directly in koon island on november 2015**

- Rumarey

Rumarey is The royal family clan. in Negerikataloka, only people from Rumarey clan that can be the King.

- Rumata

Rumata is the commander clan. Their job is to protect the Kingdom and the royal family.

- Rumbawa

Rumbawa is the treasurer clan. They organized the kingdom property.

- Rumodar

Rumodar is the counselor clan. They give an advise to the king

Each clan has their own job, the structure is used long before Indonesia freedom. That means there is a system long time ago before the Indonesia government set the national system. Now days, the structure is little bit different. Rumarey is still the Kings, but the other like Rumata, Rumbawa, and Rumodar is change. Because now there is a police office, so Rumata is no longer become the Commander or guard in the kingdom plus there is no war anymore. But in custom regime, all people will respect the Rumata as a commander clan. Rumbawa and Rumodar is also the same, they real job based on customary system is not work anymore but like Rumata, people still show respect to them as the original clans in Kataloka. From the answer that researcher found, all the respondent are totally understand about the custom governmental system in NegeriKataloka. They even know the history and structure really well.

## **CHAPTER IV**

### **CONCLUSION**

#### **IV.1. SUMMARY**

Based on the result conducted by the researcher in chapter III, it shows hows the perception of modern society especially the youth generation toward custommry governmental system. It shows their opinion about the local tradition, the custom law, and the indegenous governmental system. All the respondent do respect to the indegenous governmental system even it is just for the sake of tradition. Traditional power of local government is really powerfull that is because of the majority of the population in Negeri Kataloka are the fellow of indegenious community.

Eventhough one of informen is respecting the custom government because his parent and his family is a part of the custom community. There is a local tradition that is really interesting called “ngam”. Ngam is one of the best local tradition that the

researcher found in the field. How the indigenous government create the local tradition that keep the marine ecology so there is no dangerous under water activity such as illegal fishing, booming, and poisoning. In addition, good relationship between the King and the society can be seen during a week after fasting month, the King accompanied by his families paying a visit to the people in all the villages in Negeri Kataloka.

## **IV.2. Recommendation**

IV.2.1 The indigenous system of Negeri Kataloka Government should preserve “Ngam” as a local tradition because it can help people in keeping the marine ecology and that will be the future investment for sustainable community.

IV.2.2 The Negeri Kataloka government have to create more and diverse activities in order to attract participation from the young generation.

IV.2.3 The negeri Kataloka should regulate community to avoid any environmental damage that happen to whole community in the region.

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